

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES,  
Plaintiff,

v.

CRUZ-ARTIAGA,  
Defendant.

No. C 09-00599 CRB

**ORDER DISMISSING CASE**

Defendant Carlos Cruz-Artiaga has filed a response to this Court's September 24, 2012 Order to Show Cause (dkt. 28), stating that "[t]he defense concurs with the government's legal analysis [and] has no objection to its request for dismissal." See dkt. 29. Accordingly, the Court DISMISSES Plaintiff's petition under § 2255, with prejudice.

**IT IS SO ORDERED.**

Dated: October 9, 2012

  
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CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE